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**AMENDMENT TO H.R. 3688, AS REPORTED
OFFERED BY MR. ELLISON OF MINNESOTA**

Amend section 102(c) to read as follows:

1 (c) THIRD PARTY RIGHT OF ACTION ALLOWED.—
2 Any citizen of the United States may commence a civil
3 action on his or her own behalf or in a representative ca-
4 pacity against any person (including the United States or
5 any other governmental instrumentality or agency to the
6 extent permitted by the eleventh amendment to the Con-
7 stitution) who is alleged to have knowingly failed to per-
8 form any act or duty under this Act. The United States
9 District Court for the District of Columbia shall have ju-
10 risdiction, without regard to the amount in controversy or
11 the citizenship of the parties, to issue appropriate orders
12 requiring such person to perform such act or duty.